2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Substantive issues to be considered by Main Committee I of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Nuclear disarmament

1. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes that the Treaty is a key instrument in the efforts to halt the vertical and horizontal proliferation of nuclear weapons and an essential foundation for the pursuit of nuclear disarmament.

2. The Group of Non-Aligned States parties to the Treaty remains deeply concerned by strategic defence doctrines that set out the rationales for the use of nuclear weapons, as demonstrated by the recent policy review by one of the nuclear-weapon States to consider expanding the circumstances in which these weapons could be used.

3. The Group of Non-Aligned States parties to the Treaty reiterates its call for a full implementation of the unequivocal undertaking given by the nuclear-weapon States at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. That undertaking should be demonstrated without delay through an accelerated process of negotiations and through the full implementation of the 13 practical steps to advance systematically and progressively towards a nuclear-weapon-free world as agreed to at the 2000 Review Conference.

4. The Group of Non-Aligned States parties to the Treaty deeply regrets the continued inflexible postures of some nuclear-weapon States that have prevented the Conference on Disarmament from establishing an ad hoc committee on nuclear disarmament. The negotiation of a phased programme for the complete elimination of nuclear weapons with a specified time frame, including a nuclear weapons convention, is necessary and should commence without delay. In that regard, the

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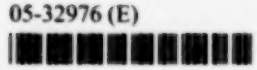

Group reiterates its call to establish, as soon as possible, and as the highest priority, an ad hoc committee on nuclear disarmament.

5. The Group remains concerned by the continued inability of the Conference on Disarmament to resume its negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile materials for nuclear weapons and other explosive devices, taking into account both nuclear disarmament and non-proliferation objectives. In this context, the Conference on Disarmament is urged to agree a programme of work that includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years. The Group is also concerned by attempts to limit the scope of the negotiations on a fissile material treaty as contained in the statement of the Special Coordinator in 1995 and the mandate contained therein, which was endorsed at both the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the 2000 Review Conference.

6. The Group of Non-Aligned States parties to the Treaty remains deeply concerned by the lack of progress towards achieving the total elimination of nuclear weapons despite some reports of bilateral and unilateral reductions. The Group is also concerned by the existence and continued deployment of tens of thousands of such weapons, whose exact number remains unconfirmed, owing to the lack of transparency in various nuclear weapons programmes. While noting the signing of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reduction on 24 May 2002, the Group stresses that reductions in deployments and in operational status cannot take the place of irreversible cuts in, and the total elimination of, nuclear weapons. The non-entry into force of START II is a setback to the 13 practical steps in the field of nuclear disarmament adopted at the 2000 Review Conference. In that regard, the Group calls for the application of the principles of irreversibility and increased transparency by the nuclear-weapon States regarding nuclear disarmament and nuclear and other related arms control and reduction measures.

7. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons believes that the abrogation of the Treaty on the Limitation of Anti-Ballistic Missile Systems has brought new challenges to strategic stability and the prevention of an arms race in outer space. The Group remains concerned that the implementation of a national missile defence system could trigger an arms race or arms races, the further development of advanced missile systems and an increase in the number of nuclear weapons. In accordance with General Assembly resolution 59/65, the Group emphasizes the urgent need for the commencement of substantive work, at the Conference on Disarmament, on the prevention of an arms race in outer space.

8. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons also believes that the possible development of new types of nuclear weapons and new targeting options to serve aggressive counter-proliferation purposes as well as the lack of progress in diminishing the role of nuclear weapons in security policies further undermine disarmament commitments.

9. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons underlines the unanimous conclusion of the

International Court of Justice that there exists an obligation to pursue in good faith and to bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

10. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons has called for the establishment of a subsidiary body on nuclear disarmament to focus on the issue of fulfilment of the obligations under article VI.

Nuclear testing

11. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons welcomes the signature of the Comprehensive Nuclear-Test-Ban Treaty by 175 States and its ratification by 120 States. The Group, in accordance with its long-standing and principled position in favour of the total elimination of all forms of nuclear weapons, supports the objectives of the Treaty, which is intended to enforce a comprehensive ban on all nuclear test explosions, and to stop the qualitative development of nuclear weapons that would pave the way towards the total elimination of nuclear weapons.

12. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons believes that the significance of achieving universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, including by the five nuclear-weapon States, would contribute towards the process of nuclear disarmament and therefore towards the enhancement of international peace and security. The Group also believes that if the objectives of the Comprehensive Nuclear-Test-Ban Treaty were to be fully realized, the continued commitment of all States signatories, especially the five nuclear-weapon States, to nuclear disarmament, would be essential.

13. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons believes that the five nuclear-weapon States have a special responsibility to ensure the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, not only because they are among the 44 States listed in Annex 2 to the Treaty, but also because, on account of their position, they are expected to lead in making the ban on tests a reality. It will be possible to determine the success of the Comprehensive Nuclear-Test-Ban Treaty only when it has been signed and ratified by the five nuclear-weapon States and the remaining countries in Annex 2.

14. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons regrets the fact that one nuclear-weapon State has taken the decision not to proceed with the ratification of the Comprehensive Nuclear-Test-Ban Treaty. Positive decisions by the nuclear-weapon States would have the desired impact on progress towards entry into force of the Comprehensive Nuclear-Test-Ban Treaty. Early ratification by nuclear-weapon States would pave the way and encourage the remaining countries listed in Annex 2 to the Comprehensive Nuclear-Test-Ban Treaty, especially the three States with unsafeguarded nuclear facilities, to sign and ratify the Treaty.

15. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons recalls the undertaking by the nuclear-weapon States at the time of negotiation of the Comprehensive Nuclear-Test-Ban Treaty to

ensure that the Treaty would halt both vertical and horizontal proliferation, thereby preventing the appearance of new types of nuclear devices, as well as nuclear weapons based on new physical principles. The nuclear-weapon States stated at that time that the only steps to be followed would be to maintain the safety and reliability of the remaining or existing weapons, which would not involve nuclear explosions. In that regard, the Group calls upon those States to continue to refrain from conducting nuclear test explosions for the development or further improvement of nuclear weapons. The Group wishes to re-emphasize the principles of the non-proliferation regime, both vertically and horizontally.

16. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons underscores the importance of the five nuclear-weapon States maintaining their voluntary moratoriums on nuclear weapon test explosions since the opening for signature of the Comprehensive Nuclear-Test-Ban Treaty. However, the Group believes that moratoriums do not take the place of the signing, ratification and entry into force of the latter.

17. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes that the development of new types of nuclear weapons is contrary to the guarantee given by the five nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty, namely, that the Treaty would prevent the improvement of existing nuclear weapons and the development of new types of nuclear weapons. Pending the entry into force of the Treaty, States should refrain from any actions contrary to its objectives and purpose. In this context, the Group is seriously concerned by the decision by a nuclear-weapon State to reduce the time necessary to resume nuclear testing to 18 months as a setback to the 2000 Review Conference agreements. The lack of progress in the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty also remains a cause for concern.

Security assurances

18. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons believes that the Conference should also substantially focus on the issue of security assurances. At the 2000 Review Conference, the States parties to the Treaty had agreed that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties ... strengthened the nuclear non-proliferation regime and called on the Preparatory Committee to make recommendations to the 2005 Review Conference of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons on this issue.

19. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons recalls that the thirteenth Conference of Heads of State or Government of the Non-Aligned Countries expressed serious concern that the development of new types of nuclear weapons was being considered, and reiterated that the provision for the use of nuclear weapons against non-nuclear-weapon States was in contravention of the negative security assurances that had been provided by the nuclear-weapon States. The Group also recalls that the Heads of State or Government of the Non-Aligned Countries also restated that the development of new types of nuclear weapons contravened the assurances provided

by the nuclear-weapon States at the time of the conclusion of the Comprehensive Nuclear-Test-Ban Treaty that the Treaty would prevent the improvement of existing nuclear weapons and development of new types of nuclear weapons.

20. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasizes that the indefinite extension of the Treaty does not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals and considers, in that regard, that any assumption of indefinite possession of nuclear weapons is incompatible with the integrity and sustainability of the nuclear non-proliferation regime, both vertical and horizontal, and with the broader objective of maintaining international peace and security.

21. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the total elimination of nuclear weapons is the only absolute guarantee that there will be no use or threat of use of nuclear weapons and further reaffirms that non-nuclear-weapon States should be effectively assured by nuclear-weapon States that there will be no use or threat of use of nuclear weapons. Pending the total elimination of nuclear weapons, the Group reiterates that efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority.

22. The Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons stresses that it is the legitimate right of States that have given up the nuclear-weapon option to receive security assurances. In that regard, the Group calls for the negotiation of a universal, unconditional and legally binding instrument on security assurances, believing that such assurances to the non-nuclear-weapon States parties to the Treaty fulfil the undertaking to the States that have voluntarily given up the nuclear-weapons option by becoming parties to the Treaty. The Group believes that legally binding security assurances within the context of the Treaty would provide an essential benefit to the States parties.

23. In keeping with the above-mentioned position and in accordance with the decision at the 2000 Review Conference, the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons has called for the establishment of a subsidiary body on security assurances for further work to be undertaken to consider legally binding security assurances by nuclear-weapon States.